United Nations S/2013/221

Security Council

Distr.: General
8 April 2013

Original: English

Report of the Security Council mission to Africa (Ethiopia, the Sudan and Kenya), 19 to 26 May 2011

I. Introduction

1. In his letter dated 18 May 2011 (S/2011/319), the President of the Security Council informed the Secretary-General that the Council had decided to send a mission to Ethiopia, the Sudan and Kenya from 19 to 26 May 2011. The mission was composed as follows:

Ambassador Ivan Barbalić (Bosnia and Herzegovina)
Ambassador Maria Luiza Ribeiro Viotti (Brazil)
Counsellor Tian Lin (China)
Ambassador Néstor Osorio (Colombia)
Ambassador Gérard Araud (France)
Ambassador Nelson Messone (Gabon)
Ambassador Peter Wittig (Germany)
Ambassador Hardeep Singh Puri (India)
Ambassador Nawaf Salam (Lebanon)
Ambassador Raff Bukun-Olu Wole Onemola (Nigeria)
Ambassador João Maria Cabral (Portugal)
Ambassador Vitaly Churkin (Russian Federation)
Ambassador Baso Sangqu (South Africa)
Ambassador Mark Lyall Grant (United Kingdom of Great Britain and Northern Ireland)
Ambassador Susan Rice (United States of America)

II. Visit of the Security Council to Ethiopia

A. Meeting with the Prime Minister of Ethiopia, Addis Ababa, 21 May 2011

2. On 21 May, the members of the Security Council met the Prime Minister of Ethiopia, Meles Zenawi. They thanked him for the role that Ethiopia had been playing to help resolve conflicts on the African continent. They discussed with him the relations between Ethiopia and Eritrea and asked him about his views on the situation in Somalia, the Sudan and Libya. The Prime Minister welcomed the

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Security Council and noted that its presence in Africa and in Addis Ababa, in particular, was an honour and a privilege.

Ethiopia-Eritrea relations

3. On Ethiopia-Eritrea relations, the Prime Minister affirmed that his country had accepted unconditionally the decision of the Boundary Commission, which was binding and final. He stressed that the practical implementation of the decision required the cooperation of Eritrea to work out certain challenges and impracticalities on the ground that the decision had generated. He reminded the Council that Cameroon and Nigeria had worked together to implement the decision on the Bakassi peninsula. He stressed that all his attempts to engage in a dialogue with Eritrea had been unsuccessful. He emphasized that the authorities in Eritrea had rejected a number of mediation efforts, including by African Heads of State. He noted that the normalization of relations between Ethiopia and Eritrea was crucial and that the demarcation of the border alone would not lead to sustainable peace.

4. The Prime Minister highlighted the involvement of Eritrea in activities that he said were negatively impacting stability in the Horn of Africa. He denounced the lack of moderation and the refusal of the Eritrean leadership to abide by international law. He also informed the Security Council about alleged terrorists and explosives sent across the border from Eritrea to attack targets in Ethiopia, including in the capital city of Addis Ababa. He indicated that the Ethiopian authorities had to date been successful in apprehending the terrorists and their equipment. He stressed that, for the past 10 years, Ethiopia had deliberately ignored the provocation of Eritrea to avoid war and, instead, focused its resources on the economic development of the country. Currently, faced with the threat of terrorism, Ethiopia felt that it had to defend itself.

5. The Prime Minister urged the members of the Security Council to take further action on Eritrea, including strengthening the implementation of the current arms embargo, which was being violated on a regular basis, and implementing economic sanctions that would affect the ability of Eritrea to fund terrorist groups and other destabilizing forces in the subregion. The Council noted that it had recently discussed ways of ensuring that the sanctions imposed on Eritrea were respected and that it remained seized of the issue.

6. With regard to Somalia, the Prime Minister was of the view that Al-Shabaab was losing political and military momentum. He said that people living in areas under the control of the terrorist group had been alienated by its behaviour, which was contrary to the culture of the Somali people and the practices of Islam. He also noted that the Transitional Federal Government had begun to establish some limited social services in the areas that it controlled. On the security front, he said that the attacks by Al-Shabaab on the African Union Mission in Somalia (AMISOM) during the month of Ramadan had had a reverse effect and that the terrorists had been severely punished. He also said that the strong military posture along the border of Kenya and Ethiopia had contributed to the weakening of Al-Shabaab.

7. The Prime Minister warned that the group had not yet been defeated. He underscored the need for the transitional federal institutions to rapidly overcome the bickering in order to take full advantage of the current momentum. He shared the view that the international community was doing the right thing but needed to do more to support AMISOM, in particular. He further urged the Council to deploy

more efforts to address the issue of piracy, especially in Puntland, where the phenomenon was evolving at a fast pace.

8. With regard to the Sudan, the Prime Minister told the members of the Security Council that he supported the vision of two viable States laid out by the African Union High-level Implementation Panel and shared the view that the fate of both the North and the South were interlinked; they would either succeed or fail together. He highlighted three major challenges that needed to be dealt with urgently: the presence of the Sudan People's Liberation Movement-North contingent in Southern Kordofan and Blue Nile States, the issue of Abyei and the boundaries. All could become flashpoints once Southern Sudan gained independence on 9 July 2011.

9. The Prime Minister asked the Security Council to actively support the concept of two viable States and the efforts of the African Union High-level Implementation Panel in order to speed up the negotiations on outstanding Comprehensive Peace Agreement issues and post-secession arrangements. He expressed the view that some of the issues being discussed would not be resolved by 9 July and suggested that the Council should consider temporary arrangements that would ensure a soft landing and allow for negotiations to continue beyond independence. In response to an enquiry by the Council members as to whether Ethiopia would be ready to deploy troops in Abyei, the Prime Minister said that such a request would be considered positively if it emanated from both parties. He further suggested that, given the sensitivity of the security situation in that area, particular arrangements with the United Nations to facilitate the mobility of troops and avoid unnecessary bureaucratic constraints would be needed.

10. On Libya, the Prime Minister shared his personal views with the members of the Security Council. He emphasized, among other things, the need for a negotiated solution in Libya with a verified ceasefire. He noted that the views of the Libyan people should be taken into account before deciding who should be allowed to take part in the transition. He criticized the timing of the actions taken by the International Criminal Court, which, he said, could complicate the search for peace in Libya.

B. Meeting with the Peace and Security Council of the African Union, Addis Ababa, 21 May 2011

11. On 21 May, the Security Council and the Peace and Security Council of the African Union held their fifth consultative meeting, at the headquarters of the African Union in Addis Ababa. They discussed the situation in Libya, Côte d'Ivoire, Somalia and the Sudan, as well as means of strengthening working methods and cooperation between the two organizations. The members of the Peace and Security Council urged increased cooperation between the African Union and the Security Council in the resolution of conflicts on the African continent. They commended the exemplary cooperation between the United Nations and the African Union on Somalia and Côte d'Ivoire and encouraged similar working relations in addressing the other crises in Africa, such as in Libya.

Crisis in Libya

12. The members of the Peace and Security Council expressed the view that there could be only a political solution to the crisis in Libya. They said that they wanted more consideration to be given to the African Union road map for Libya, which proposed an immediate ceasefire, the provision of humanitarian assistance to the Libyan population, the establishment of a transition period and the holding of national elections. They sought a pause in air strikes by the North Atlantic Treaty Organization to allow political negotiations to begin between the parties. They further argued that it was up to the Libyan people to decide who should take part in the transition and called for the territorial integrity of the country to be respected.

13. The Peace and Security Council expressed deep concern about the possible consequences that a lasting crisis in Libya would have on the continent, arguing that it had already led to the dissemination of large numbers of weapons that could be used to destabilize countries and reinforce terrorist organizations in the Sahel. The Peace and Security Council noted that its perceptions and positions were not that far apart from those of the Security Council and that it was important to bridge the differences and work together in determining the way forward in Libya.

14. The members of the Security Council noted that resolution 1973 (2011) had been passed at the request of the League of Arab States. The mission described the intervention in Libya as necessary to protect civilians from a massacre announced by the Libyan leader himself. The members of the Council also agreed on the need to resolve the conflict politically. In that regard, the Council highlighted that there were several peace initiatives that had been put forward, including by the African Union, Turkey and Qatar, which should all be coordinated and integrated by the Special Envoy to Libya, Abdel-Elah Mohamed Al-Khatib. They emphasized the importance of creating conditions for all parties to accept a ceasefire. If the parties agreed to a mutual ceasefire, the international community would support it and North Atlantic Treaty Organization air strikes would also stop. The Council believed that it was high time to put the divisions behind with a view to reaching a political solution to the crisis in Libya.

Post-electoral crisis in Côte d'Ivoire

15. With regard to Côte d'Ivoire, the members of the Security Council praised the exemplary partnership between the United Nations, the African Union and the Economic Community of West African States in addressing the post-electoral crisis. They welcomed the inauguration of the new President, urged all illegal armed groups to disarm and called for the total reunification of the country. The Council further welcomed the decision of the President of Côte d'Ivoire to investigate and bring to justice those responsible for crimes and human rights violations committed during the crisis. The mission also appealed to the Ivorian authorities to build a democratic and economically viable State.

16. The Peace and Security Council praised the excellent cooperation with the Security Council and noted that there was consensus on how to move forward in Côte d'Ivoire. It further emphasized the need to improve the security climate, relaunch economic activities, redeploy the State administration to the north, reform key institutions and undertake a national reconciliation process.

Situation in Somalia

17. Regarding Somalia, the Peace and Security Council considered that, despite the political challenges, AMISOM was making important progress in Mogadishu and noted that about 2 million people lived in the areas that it controlled jointly with pro-Government forces. The Peace and Security Council appealed to the Security Council to provide greater financial and logistical assistance to AMISOM and to approve an increase in the current level of troops to 20,000. It also echoed calls for a naval blockade of Kismayo, in particular, and a no-fly zone over Somalia. In addition, it expressed serious concerns over the dire humanitarian situation in Somalia.

18. The members of the Security Council informed the Peace and Security Council that they were extensively discussing Somalia. They shared the deep concerns of the Peace and Security Council at the continued instability in the country and expressed full support for the work of AMISOM. They urged the transitional federal institutions to end political disputes and focus on building institutions and delivering services to the Somali people. They also lamented the deteriorating humanitarian situation, while strongly condemning attacks targeting humanitarian assistance. The Security Council noted that the growing instability in Somalia was contributing to piracy activities and proposed to strengthen the role of the United Nations Political Office for Somalia (UNPOS) as the focal point for piracy.

Situation in the Sudan

19. On the Sudan, the Security Council and the Peace and Security Council commended the successful conduct of the referendum on the self-determination of Southern Sudan in January 2011 and called for the full implementation of the Comprehensive Peace Agreement. They also expressed support for the emergence of two viable States living in peace side by side and urged the parties to reach agreement on outstanding Agreement issues and post-referendum arrangements. They emphasized the importance of conducting and implementing the outcome of the popular consultations in an inclusive and timely manner. Furthermore, they condemned the violence in Abyei and appealed for a political resolution of the conflict, as well as for an agreement on the final status of Abyei. They also conveyed concern over internal conflicts in Southern Sudan between the Government of Southern Sudan and armed groups.

20. The Security Council and the Peace and Security Council also condemned the high level of insecurity and violence in Darfur, called for the African Union-United Nations Hybrid Operation in Darfur (UNAMID) to fully implement its mandate and reiterated their support for the joint African Union-United Nations peace process in Doha. Regarding the Darfur political process, the Security Council insisted on the need to have enabling conditions in place before any negotiations could take place in Darfur. It called upon the Government of the Sudan and the armed movements to contribute to the creation of the necessary enabling environment for the Darfur political process, including political and civil rights of participants such that they could exercise their views without fear of retribution; freedom of speech and assembly, to allow for open consultations; freedom of movement of participants and UNAMID; proportional participation among Darfurians; freedom from harassment, arbitrary arrest and intimidation; and freedom from interference by the Government or armed movements.

Strengthening working methods and cooperation between the United Nations and the African Union

21. The Security Council and the Peace and Security Council agreed to continue to enhance their cooperation in the area of peace and security in Africa. In that regard, they welcomed the establishment of the United Nations Office to the African Union, through which regular exchanges of information could take place. The Peace and Security Council reiterated its call for a more predictable, sustained and flexible financial mechanism in support of regional peacekeeping operations authorized by the United Nations. The Security Council and the Peace and Security Council looked forward to the respective reports of the Secretary-General and the Chairperson of the African Union Commission on the reinforcement of the partnership between the United Nations and the African Union. Following the fifth consultative meeting, a joint communiqué was issued.

III. Visit of the Security Council to the Sudan

A. Visit to Mayo camp, Khartoum, 22 May 2011

22. Some Council members visited Mayo camp and had the opportunity to meet Southerners living in the camp. The residents expressed concern about the uncertainty of future citizenship arrangements after 9 July and what that would mean for their own status, e.g. ability to work, live and have access to health services and education. They expressed appreciation for the visit of the Council members to their camp.

B. Meeting with the Government of the Sudan, Khartoum, 22 May 2011

23. Accompanied by the Special Representative of the Secretary-General for the Sudan, Haile Menkerios, the Security Council met government ministers and advisers, including the State Minister at the Presidency, Amin Hassan Omer, the National Congress Party official in charge of the Abyei file, Didiri Mohamed Ahmed, the State Minister at the Presidency, Idriss Abdul Gadir, the official in charge of the Darfur file, Omer Dahab, and the Permanent Representative of the Sudan to the United Nations, Daffa-Alla Elhag Ali Osman. The Council delegation was informed that the Minister for Foreign Affairs, Ali Karti, would not attend owing to illness. The State Minister at the Presidency, Amin Hassan Omer, led the meeting. He began by saying that the Government would have liked to receive the Council in a more conducive environment, pointing to the recent crisis between the two parties in Abyei. The ministers and advisers present all reassured the Council that the Government was keen to conclude the Comprehensive Peace Agreement cordially and that efforts had been made, under the guidance of the Chair of the African Union High-level Implementation Panel and former President of South Africa, Thabo Mbeki, to advance on negotiations on post-9 July arrangements. Separately, the Council had previously confirmed a meeting with the Vice-President, Ali Othman Taha, but was told that the meeting would not take place.

24. On Abyei, Didiri Mohamed Ahmed gave an overview of the history of Abyei. On current events, he said that, following the attack on 19 May by Southern forces

on a United Nations Mission in the Sudan (UNMIS)-Joint Integrated Unit convoy, the Sudanese armed forces had reacted by taking control of the Abyei Area. He asserted that UNMIS had an important role to play in the resolution of the crisis and offered to meet UNMIS and others to secure the area and prevent the return of forces pursuant to the Kadugli agreement. He insisted that the National Congress Party was committed to the Abyei Protocol and would continue engaging with the Sudan People's Liberation Movement (SPLM) under the auspices of the African Union High-level Implementation Panel until a final status for Abyei was agreed upon. The United States and the Russian Federation, who led the Security Council delegation in the Sudan, expressed grave concern with regard to the situation in Abyei and urged the resumption of negotiations to find a resolution to the crisis. The Special Representative of the Secretary-General noted that recent events represented a regression of the progress made through the Kadugli agreement. Both sides needed to discuss new security arrangements for Abyei so that they could withdraw forces. One option was for a stronger role for joint integrated units and UNMIS. When pressed by Council members, Didiri Mohamed Ahmed was unclear about when the Sudanese armed forces would withdraw, but said that a new joint integrated unit needed to be assembled.

25. On Darfur, Mr. Dahab provided a briefing on developments in Doha, the challenges of engaging with the Justice and Equality Movement and the forthcoming All Darfur Stakeholders Conference from 27 to 31 May. He spoke about the next steps for a new Darfur peace process, including consultations to be conducted in Darfur with a wide range of groups. The United States expressed concern about the level of violence in Darfur, aerial bombardment by the Sudanese armed forces, casualties, displacement and restrictions on humanitarian access and UNAMID freedom of movement. The United Kingdom underscored the need to create an enabling environment for the Darfur peace process, noting the joint Peace and Security Council-Security Council communiqué issued on 19 May, which set out various necessary preconditions, including freedom of speech and movement and freedom from harassment. The Russian Federation, the United States and the United Kingdom pressed strongly on resolving the backlog of visas for UNAMID personnel but received contradictory responses, with Mr. Omer first claiming that 1,000 visas had been issued since February and, then, in the face of statistics gleaned from UNAMID, conceding that the Ministry of Foreign Affairs would discuss the matter with UNAMID to find a solution.

26. On post-9 July negotiations, the State Minister at the Presidency, Idriss Abdul Gadir, provided a briefing on the economic negotiations that were held the preceding weekend, noting that they were moving forward. He then asserted, however, that SPLM was refusing to negotiate transitional financial arrangements on oil revenue after 9 July. He lobbied on sanctions against the Sudan, debt and the inclusion of the Sudan on the State-sponsored terrorism list, which, he insisted, were based on a political agenda.

C. Briefing by the Joint African Union-United Nations Special Representative for Darfur, Khartoum, 22 May 2011

27. The Joint African Union-United Nations Special Representative for Darfur, Ibrahim Gambari, gave a briefing on political developments in Darfur, the forthcoming Darfur peace process consultations, the security situation and

humanitarian access. On the security situation, the Government of the Sudan had moved to seek to prevent the consolidation of the presence of the Sudan Liberation Army faction led by Minni Minawi and the Justice and Equality Movement in Northern Darfur by reinforcing its positions and through aerial bombardments. The Government had also deployed troops along the Libyan border to prevent the flow of arms and dissidents. The agreement between the Minni Minawi and Abdul Wahid factions of the Sudan Liberation Army for joint actions against the Government would pose further challenges to the security environment in Darfur. The UNAMID Force Commander and the Office for the Coordination of Humanitarian Affairs supplemented the briefing. A statement on the planned conclusion of the Doha process was read out on behalf of the United Nations-African Union Joint Chief Mediator, Djibril Yipènè Bassolé, who was unable to attend. UNAMID efforts to support humanitarian access through Operation Spring Basket were discussed.

D. Meeting with the Chair of the African Union High-level Implementation Panel, Khartoum, 22 May 2011

28. The Chair of the African Union High-level Implementation Panel, Thabo Mbeki, provided a briefing on Abyei, following his meeting with the President of the Sudan, Omer Hassan A. Al-Bashir, the same day. His aim was to de-escalate the situation as a precursor to finding a permanent solution before 9 July. The Panel had previously presented a document with six options, but the parties could not agree, leading the Panel to further refine a proposal that would be presented to the Presidency. He then gave a comprehensive overview of the negotiations on post-9 July arrangements.

29. On economic issues, he said that the North would take on the external $39 billion debt as the continuing State. The South would have a new currency with a transition period, but the parties still needed to work out the redemption of the Sudanese pound from the South. He said that transitional financial arrangements to ease the economic shock in the North from lost oil revenues under the current revenue-sharing arrangements were under discussion. Both parties agreed on a soft border, but details still had to be concluded. On security, some kind of demilitarized zone would need to be agreed upon, with the possibility of a third-party presence, such as the United Nations. The other main issue was the future of SPLA members from Blue Nile and Southern Kordofan. On citizenship, both parties agreed in principle to prevent statelessness and displacement. The working groups on those issues had gone as far as they could and the matters were being elevated to a more senior group that would convene from 6 June to finalize all the issues with the aim of reaching agreement by the end of June.

30. On Darfur, he spoke about the Panel's involvement in the Darfur peace process and the planned consultations. In his view, the future status of Darfur would be better addressed through the consultations than through a referendum. More broadly, the outcome of the Darfur peace process and the popular consultations in the two areas would shape the future of Northern Sudan.

E. Meeting with the Misseriya elders, Khartoum, 22 May 2011

31. The Misseriya gave a history of Abyei, asserting that they had not been consulted by the Permanent Court of Arbitration prior to the ruling and that as the original inhabitants of the area the issue was one of human rights rather than of herding rights. The Abyei problem had become one between the National Congress Party and SPLM and had moved beyond traditional dispute mechanisms.

F. Press statement

32. On 22 May, the Security Council issued a press statement on Abyei in which it condemned the escalatory military operations undertaken by the Sudanese armed forces and their taking control of the area in and around Abyei town and the attack of 19 May by Southern forces against an UNMIS convoy in Abyei. It called upon the Government of the Sudan to halt its military operations and to withdraw immediately from Abyei town and its environs.

G. Visit to Wau, 23 May 2011

33. Owing to fighting in Abyei, the Council could not visit the Area and rerouted to Wau, where Council members visited a maternity and childcare health centre and had the opportunity to see the services provided and the challenges encountered by the staff dealing with child health issues. The tour was followed by a conversation with members of civil society in Wau and medical students attached to the centre. The participants expressed concern about the situation in Abyei and the displacement effect on places such as Wau. As residents of a border state, they were concerned about security. They also spoke about the need for agricultural development in Southern Sudan and provision of basic services such as health and education.

34. The Council met Dinka chiefs from Abyei, including the recently dismissed Abyei Chief Administrator, Deng Arop. Tribal leaders gave a historical overview of Abyei and security challenges, indicating the need to implement the Abyei Protocol and the ruling of the Permanent Court of Arbitration. One chief compared the current situation in Abyei to Darfur and appealed to the Council to step in and rescue them. Relations between the Dinka and the Misseriya had traditionally been based on peaceful coexistence, and the real problem was the Popular Defence Forces and a theory propagated by politicians that grazing rights equalled land rights. Deng Arop stressed the need for self-determination through the Abyei referendum and a viable security mechanism, without which, even if Abyei were to become part of South Sudan, the security problems would persist. France raised the allegations made by the Misseriya that they had not had access to water for the first time in 500 years. In response, Mr. Arop alleged that the Misseriya had sent armed members of the Popular Defence Forces ahead of the cattle and no one had stopped them. He said that they had asked for meetings to govern migration and the Misseriya had refused.

H. Meeting with the President of Southern Sudan and ministers, Juba, 23 May 2011

35. The President of Southern Sudan, Salva Kiir, led the government delegation that briefed the Council, with a majority of the government ministers present. The United States and the Russian Federation congratulated them on the successful conduct of the referendum. Nigeria raised the challenges of independence and the need for inclusiveness, a point also raised by Germany with regard to the Constitution.

36. The President of Southern Sudan recognized that if the North was not stable then there would not be stability in the South. He pointed to the North's recent blockade of the border roads, which had stopped the transit of commodities, including food and fuel. He expressed regret that negotiations on the post-9 July arrangements were not progressing more quickly and lamented the stance taken by the North on issues such as transitional financial arrangements for oil revenue. No independent State could continue to share its oil revenue, and the North needed to be flexible. On Abyei, he gave an overview of the recent history of Abyei and of the events of the past few days. He urged the United Nations to send a clear message that the Sudanese armed forces must withdraw and the Abyei Area Administration be restored. The current United Nations forces could not protect themselves in Abyei, he said, suggesting Ethiopia as a troop contributor for Abyei. He apologized for the attack on the UNMIS-Joint Integrated Unit convoy on 19 May, arguing that no ambush had been laid against the United Nations, that the South had never targeted United Nations personnel or convoys and that the incident had been a mistake.

37. On the future United Nations mission, he requested a separate special representative of the Secretary-General and a new mission in the South by 9 July, with State-building capacity assistance. The Government was working out the details of what they would like from a United Nations mission and would submit them shortly. A minister, Pagan Amum, explained that the Government saw the main tasks as maintaining security on the border, resolving outstanding Comprehensive Peace Agreement issues, such as Abyei, and building capacity in the South. The United States encouraged input on post-UNMIS and Abyei issues as soon as possible. The President concluded by reiterating his Government's commitment to peaceful coexistence and assuring the Council that, as a new State, Southern Sudan would uphold the principles of the Charter of the United Nations, as well as human rights and international principles.

38. On the Constitution, he insisted that it would be an inclusive process. The Minister for Legal Affairs, John Luk, provided more details on the constitution-making process, noting that the Government was conscious that the survival of Southern Sudan depended on uniting people across regions, ethnicity and gender.

I. Visit to Malau, Jonglei State, 24 May 2011

39. Several Council members went to visit the Livestock Protection Unit in Malau, which had been established with training from UNMIS police in addition to bilateral donor support. They saw a mock-up of the Unit in action. The State Minister of Law Enforcement, Gabriel Duop Lam, provided a briefing on the security challenges

faced in Jonglei, such as cattle rustling, child abduction, tribal conflicts and disputes over grazing, water points and land boundaries. He went on to explain about the Unit pilot project, expressing the hope that it could be further extended in Southern Sudan. The Governor of Jonglei State, Kuol Manyang, spoke in similar terms and explained some of the factors that motivated cattle rustling, including the need for dowry payments. He spoke about the instability caused by George Athor and David Yau Yau and the need for investment in agricultural development.

J. Visit to Jebel Kujur way station, 24 May 2011

40. Upon returning to Juba, Council members visited the Jebel Kujur way station, operated by the Office of the United Nations High Commissioner for Refugees (UNHCR), which had reopened in November 2010 to assist with the returns process managed by the Government of Southern Sudan. The station receives vulnerable returnees arriving in Juba via the port and planes. They are transferred with their belongings to the station for registration and verification. Those with means for onward travel are released and those that require onward transport remain. The International Organization for Migration (IOM) conducts formal registration, identifies onward transport needs and provides medical screening. IOM also coordinates transportation convoys to destinations. The Deputy Resident Coordinator and Humanitarian Coordinator and the Mayor of Juba provided a briefing on returns to Southern Sudan and the work of the Southern Sudan Relief and Rehabilitation Commission, UNHCR and IOM. They explained how the way station processed people and transported them to their final destination. More than 2 million people had returned during the Comprehensive Peace Agreement period, with an estimated 300,000 doing so since the end of October 2010. Each of the 10 states of Southern Sudan had a state plan for returns.

K. Briefing by the Special Representative of the Secretary-General on follow-on mission planning, Juba, 24 May 2011

41. Following lunch with members of civil society, the Council was briefed by the Special Representative of the Secretary-General and senior management on follow-on mission planning in Southern Sudan. The meetings started with a discussion on Abyei. The Special Representative explained that the United Nations could not have prevented the takeover of Abyei by the Sudanese armed forces as the Organization was unable to attack advancing troops. Discussion with Council members included the potential deployment of Ethiopian troops under UNMIS and a briefing on the meetings that had been conducted by the Special Representative and former President Mbeki with President Bashir on the issue. The Special Representative also raised the potential role of the United Nations on the border in a facilitation and monitoring role. Both parties accepted that the African Union did not have capacity in that regard. A potential United Nations presence would be further discussed at the next round of post-9 July negotiations, scheduled for 6 June.

42. The Deputy Special Representative of the Secretary-General, Jasbir Singh Lidder, provided a briefing on the future mission planning process in the South. It was based on a technical assessment mission, consultations with the United Nations country team and lessons learned over the past six years. All that pointed to a more

decentralized structure, more assistance for the United Nations country team in support of peacebuilding, more robust military and civil-military cooperation and improved information gathering. He also spoke about the challenges posed by the border zone. The Special Representative stressed that the United Nations country team and UNMIS were already providing many services within their current mandate. The United States noted that the Security Council needed to look at the formation of a new mission as a real opportunity to improve peacekeeping. It should not simply be a handover from one mission to the next without any substantial changes. Several Council members pointed to the lack of input provided by the Governments of the Sudan and Southern Sudan regarding a continued United Nations presence, despite requests from UNMIS and the Council. The Deputy Resident Coordinator and Humanitarian Coordinator provided details on the work of the United Nations country team's 21 agencies, funds and programmes, the scale of donor funding and the development needs. She described the capacity gap within the Government, noting that only 10 per cent of its members had finished high school. In terms of capacity-building, 159 United Nations Volunteers were already embedded in government offices, 200 senior civil servants were in place from the Intergovernmental Authority on Development (IGAD) and a surge capacity of 1,000 from the African Union was due to arrive after 9 July.

IV. Visit of the Security Council to Kenya

A. Briefing by the United Nations Political Office for Somalia, the African Union and the Intergovernmental Authority on Development, Nairobi, 25 May 2011

43. On 25 May, the Security Council met the African Union High Representative for Somalia and former President of Ghana, Jerry Rawlings, the Special Representative of the Secretary-General for Somalia, Augustine Mahiga, the Special Representative of the Chairperson of the African Union Commission, Boubacar Diarra, the representative of IGAD facilitation for Somalia, Patrick Koyi, and the Force Commander of AMISOM, General Nathan Mugisha, to discuss the situation in Somalia. The Special Representative of the Secretary-General explained that, following the presidential statement of 11 May 2011 (S/PRST/2011/10), the Speaker of the Transitional Federal Parliament, Sharif Hassan Sheikh, and the President of the Transitional Federal Government, Sharif Sheikh Ahmed, had met several times but had been unable to agree on the timing of the elections. He mentioned that the Speaker was still insisting on holding presidential elections prior to the end of the transition, while the President was of the opinion that holding elections would disrupt the ongoing political and security gains in Somalia. Both principals maintained that their entrenched positions reflected the will of a majority of Somalis.

44. The Special Representative of the Secretary-General called upon the members of the Council to reinforce their message to the President and the Speaker. He suggested that the parties could explore the possibility of a temporary post-transitional arrangement that would ensure a win-win situation and in which their respective constituencies would continue to share power until elections were held. He further stressed that the international community needed to come up with a road map consisting of benchmarks and timelines for the implementation of the

transitional tasks, including the promotion of national reconciliation and the constitution-making process. The road map should also establish a monitoring and assessment mechanism to ensure compliance by the transitional federal institutions. He suggested that the monitoring mechanism would be effective if there were a collective undertaking by all stakeholders in the international community that compliance by the Somali transitional authorities would be a prerequisite for financial support.

45. He provided a briefing on the security gains achieved by AMISOM, the Transitional Federal Government and allied forces in Mogadishu. He underscored that additional troops had been made available for AMISOM by troop-contributing countries, but were yet to be deployed owing to the lack of predeployment training and support. He sought more assistance for the United Nations country team in order to enable it to address the dire humanitarian situation in the areas controlled by the Transitional Federal Government, explaining that the suffering of people had been exacerbated by the drought, the threats posed by ordnance and delays in the establishment of effective local administrations.

46. The Force Commander informed the Security Council that AMISOM and Transitional Federal Government forces were in control of 60 per cent of Mogadishu. He called for additional support to be provided to the African troops, stressing in particular the need to equip them with air and maritime capacity. He explained that insurgents were pressured by pro-Transitional Federal Government elements in most parts of south-central Somalia and that the insurgents would attempt to defend the port of Kismayo from which they generated most of their resources. He noted that there were increased numbers of defectors among the ranks of Al-Shabaab who needed immediate attention. He lamented the absence of sufficient troops and force enablers on the ground in Somalia. He further requested sustained and predictable funding from the international community, including adequate compensation for contingent-owned equipment. The Special Representative of the Chairperson of the African Union Commission praised the partnership between UNPOS and IGAD, echoed the views of the Force Commander and reiterated the African Union's request for a no-fly zone as well as a maritime blockade on Somalia.

47. The African Union High Representative reinforced the points raised, pointing out that the United Nations, the African Union and IGAD were all on the same page on the need to take full advantage of the positive momentum in Somalia. He called upon the Security Council to put pressure on the leadership of the transitional federal institutions to reach a political agreement on the way forward as soon as possible. He agreed with the importance of putting in place benchmarks and a monitoring mechanism, which would ensure compliance by the transitional federal institutions with the implementation of the transitional tasks.

48. The members of the Council concurred that the dispute between the Speaker and the President had had a negative impact on the ongoing military progress in Somalia. They further agreed on the need to send a clear and strong message to the transitional federal institutions that any extension of their term would be contingent on an agreement on the timing of the elections. The Council asked the Special Representative of the Secretary-General to ensure that the consultative process scheduled in June in Mogadishu would gather an attendance that was representative of the Somali people. The Council concluded the meeting by noting that the shared

views among UNPOS, AMISOM and IGAD were an encouraging sign and that it would be important for the international community to reinforce its unity of purpose and speak with one voice on Somalia.

B. Meeting with the Vice-President of Kenya, Nairobi, 25 May 2011

49. The Vice-President of Kenya, Kalonzo Musyoka, expressed concern that the international community might be feeling a sense of fatigue over Somalia. He urged the Security Council to remain seized of the matter, given that the developments in Somalia could constitute a serious threat to regional and international peace and security, stressing that Al-Shabaab was linked to Al-Qaida. He stated that instability in Somalia was affecting the security and economy of his country, as well as the livelihood of the Kenyan population living in the border areas with Somalia. He explained that Kenya had been forced to deploy more security personnel to secure its border with Somalia and had also to accommodate very large numbers of Somali refugees.

50. He expressed the view that the leadership in Somalia was not yet taking full advantage of the improved security situation. He urged the members of the Security Council to directly engage the President and the Speaker to help break the political deadlock generated by their disagreement over the timing of the elections. He did not think that it was realistic to hold elections in Somalia within the coming two months and suggested a deferral of one year. He called upon the Council to give AMISOM a stronger mandate that would enable it not only to keep the peace but also to enforce it actively. He highlighted the need to impose a no-fly zone and a maritime blockade on the coast of Somalia to prevent Al-Shabaab from receiving weapons and raising resources from the port of Kismayo. He also drew the attention of the Council to the fact that more than 100 alleged pirates were awaiting trial in Kenya, requesting more cooperation and support from the international community. In that regard, he criticized the payment of ransoms to pirates, given that ransoms were used to further fuel piracy.

51. The Vice-President conveyed Kenya's concern over developments in the Sudan. He stressed that particular attention should be given to reaching agreement on a final status for the disputed area of Abyei. He said that current tensions should not constitute a pretext to prevent Southern Sudan from declaring its independence on 9 July.

52. The members of the Security Council showed appreciation for the leadership and actions of the Government of Kenya to help address the problems in Somalia. The Council warned that the Somali leadership would not be allowed to take advantage of the support and the patience of the international community. The mission concurred that progress in Somalia could be seriously undermined by the disagreements between the President and the Speaker and further agreed that a strong message should be sent to both principals on the need to put the interests of the Somali people above all. On the Sudan, the Council agreed that Abyei, as well as other outstanding Comprehensive Peace Agreement issues, should be addressed politically and that the use of force would not resolve the differences.

C. Meeting with the Prime Minister of Kenya, Nairobi, 25 May 2011

53. The Prime Minister of Kenya, Raila Odinga, emphasized the position expressed by the Vice-President. He particularly elaborated on the heavy impact of the movement of refugees into Kenya, calling for UNHCR to help establish a safe haven on the Somali side of the border to receive citizens fleeing the violence in the south-central region of the country. With regard to political developments in Somalia, he said that the conditions did not exist to hold free and fair elections, which explained why Kenya and IGAD were supporting a one-year extension of the mandate of the transitional federal institutions. He said that it was important for the international community to harmonize its position to avoid sending mixed messages. Regarding piracy, he noted that Kenya was one of the few countries that received pirates in its prisons and that the situation was rapidly becoming untenable because of the strain that that was putting on the country's corrections system and economic resources. He suggested that all countries affected by piracy should more equally share the burden, with the support of the international community. He also called for enhanced assistance to AMISOM and underlined the importance of sealing off the port of Kismayo through the imposition of a maritime blockade, so as to interrupt the main sources of revenue of Al-Shabaab.

54. The members of the Security Council mission expressed appreciation for the Prime Minister's insights on Somalia, saying that there was currently an opportunity to make important progress on the peace process. To take full advantage of the positive momentum, the two Somali principals needed to settle their differences immediately. The mission also reiterated that an agreement on elections was a prerequisite for any extension of mandates. The Council expressed support for AMISOM and appreciation for all the sacrifices that it had made for Somalia.

D. Meeting with the President of the Transitional Federal Government of Somalia and the Speaker of the Transitional Federal Parliament, Nairobi, 25 May 2011

55. The Security Council expressed grave concern at the continuing instability in Somalia, stressing the urgent need for a comprehensive strategy to address issues such as terrorism, piracy, hostage-taking and the dire humanitarian situation in the country. The mission conveyed its united support for the Djibouti Agreement and an inclusive peace process. In that regard, the Council strongly urged both principals to participate in the consultative meeting of Somali stakeholders that the Special Representative of the Secretary-General would be facilitating in Mogadishu in June, with a view to reaching a common understanding on post-transitional arrangements. The two politicians were firmly requested to refrain from further unilateral actions and to focus on reaching an agreement on the timing of the elections, without which there would be no extension of mandates. They were also told that future support from the international community would depend on the delivery of tangible results. The Council further expressed disappointment that the improvement in the security situation on the ground had not been met with corresponding political progress.

56. The President of the Transitional Federal Government, Sharif Sheikh Ahmed, said that, while much effort had been devoted to finding a political solution, he had not yet managed to reach a common understanding with the Speaker on

post-transitional arrangements. He concurred with the members of the Council that the security successes on the ground had to be built upon as soon as possible. He denounced the Transitional Federal Parliament's self-extension, which he described as illegal. He spoke in favour of a one-year extension of the transitional federal institutions, assuring the mission that such an extension would allow the Transitional Federal Government to implement outstanding transitional tasks and to consolidate the security gains on the ground. He felt very strongly about the need to reform the Transitional Federal Parliament before the elections could be held, stressing that a parliament of 550 members was not realistic. He agreed that the upcoming Mogadishu consultative process should be as inclusive as possible. The President noted that the security improvements and the actions of the Transitional Federal Government in recent months were winning the hearts and minds of the people in liberated areas and argued that a delay in holding presidential elections was required to maintain the current momentum.

57. The Speaker of the Transitional Federal Parliament, Sharif Hassan Sheikh, insisted that there was no way around fresh presidential elections but justified the self-extension of the Transitional Federal Parliament by invoking article 17 of the Transitional Federal Charter of the Somali Republic. He recalled that that was not the first time that the Transitional Federal Parliament had granted itself an extension. In his opinion, a new parliament could be elected only after the completion of a constitution-making process. As to the Mogadishu consultative conference, he stated that he was not aware of it and that such a conference did not have the consent of the Transitional Federal Parliament. The Special Representative intervened to note that both sides saw the need for, and accepted the principle of, elections, but disagreed on the date and the way to conduct those elections.

58. The Security Council delivered a strong message to the President and Speaker, telling them that the patience of the international community was running thin. The mission made it clear that it was high time for the two leaders to demonstrate genuine commitment to the Somali people and place the interests of the population above personal considerations. If they did not, the international community would consider other options available to them. Both principals were also requested to participate in the upcoming consultative process scheduled in Mogadishu and to seize such an opportunity to play the important and responsible role that was expected of them. The Council then held a private session with the President and the Speaker in which they were strongly requested to come up with an agreement as soon as possible.

E. Meeting with the United Nations country team, Nairobi, 25 May 2011

59. The United Nations Resident Coordinator and Humanitarian Coordinator, Mark Bowden, highlighted the fact that the humanitarian crisis was affecting 3 million people in Somalia, stressing that the situation was critical because of the limited resources currently available to respond to the situation. He pointed out that access to the worst-affected areas under the control of Al-Shabaab had decreased. He also explained that civilians continued to bear the brunt of the conflict, with the highest numbers of civilian casualties, most of whom were women and children, recorded in 2011. While noting progress in the way in which the humanitarian agencies worked with AMISOM, he pointed out that there was more room for

improvement, especially with regard to the rules of engagement. On the positive side, the opportunities for development were increasing, in particular in Somaliland and Puntland. He also said that an estimated $15 million was required to provide immediate support in the areas regained from Al-Shabaab.

60. The United Nations country team asked the mission to press the transitional federal institutions to further focus on the needs of, and the delivery of services to, the Somali people. It underscored that the international community's approach to Somalia should not be limited to humanitarian interventions but should also address recovery and development issues. On the United Nations staff presence in Somalia, the United Nations Resident Coordinator and Humanitarian Coordinator clarified that there were 400 international staff currently working on Somalia, of whom 100 were based inside Somalia and were working together with locally recruited staff. The members of the Security Council stressed the relevance of sending more United Nations staff to Somalia and, specifically, to Mogadishu. The Council expressed the hope that the strong message sent to the Somali leadership would result in a solution to the current impasse. The mission insisted on the need to fully integrate the United Nations efforts and for a comprehensive United Nations strategy addressing political, development and humanitarian issues.

F. Meeting with representatives of regional administrations, Nairobi, 25 May 2011

61. The Security Council met the heads of the regional administrations of Puntland and Galmudug and a representative of Somaliland. All three cited piracy, terrorism, internal displacements and the lack of development activities as common concerns. The representative of Puntland confirmed that piracy was surging and had forced the regional administration to pass legislation in an attempt to curb the phenomenon. Somaliland was considering passing a similar law, while noting that it had arrested and convicted around 90 pirates. All three representatives called upon the Council to pass a resolution asking Member States and private companies to halt the payment of ransoms, which they believed had significantly contributed to fuelling piracy. They called upon the international community to support them in putting in place sea-based and land-based solutions, in particular youth employment and development initiatives that would help tackle piracy.

62. The representatives of the regional administrations also expressed concern at the continued threat of terrorism in their areas and spoke of the cooperation between Al-Shabaab and pirates. They also underscored the burden of internally displaced persons facing both Puntland (about 300,000) and Somaliland (about 200,000), requesting urgent help from the international community. Concerning the end of the transitional period, the representatives of Puntland and Galmudug were in favour of holding presidential elections in August and deferring parliamentary elections for a year. They criticized the Transitional Federal Government in particular for failing to fulfil the transitional tasks. They agreed to participate in the consultative process in June and offered to host it. The representative of Somaliland expressed the hope that the consultative meeting would help further peace in Somalia, but said that Somaliland would not be represented as it was attempting to achieve independence from the greater Somalia. The representative was reminded of the Council's respect for the territorial integrity of Somalia. The members of the Council showed particular interest in the issue of piracy, thanked the regional administrations for the

assistance provided to internally displaced persons and expressed deep concern over the threats of terrorism in Somalia. The mission strongly urged the regional administrations, including Somaliland, to participate in the upcoming consultation process.

G. Meeting with civil society, Nairobi, 25 May 2011

63. The members of the Security Council met a cross section of Somali civil society organizations representing south-central Somalia, Puntland, Somaliland and Nairobi-based organizations. The civil society organizations cited security, including piracy, as their main concern. They said that AMISOM had made significant gains against the insurgency and encouraged the international community to provide the African forces with the necessary resources. They emphasized that efforts to combat piracy would be further successful if they were supported by the Somali coastal population, which they said would happen only if the international community acted firmly against illegal fishing and the dumping of toxic waste in the territorial waters of Somalia and helped to address the issue of youth unemployment.

64. On the ongoing political crisis, they assessed that the only way out was for the President and the Speaker to reach a common agreement on post-transitional arrangements. They stressed that the transitional federal institutions were currently benefiting from a better security environment in which to operate but had failed to seize the opportunity. They felt strongly that the constitutional drafting process should lead to the establishment of permanent institutions. They called upon the international community to help consolidate democracy in Somaliland and Puntland to secure the fragile peace in those areas. They backed the idea of a national reconciliation process held inside Somalia. They highlighted the importance of addressing the dire humanitarian crisis in the country. They also underscored the crucial role of women in Somali society as well as their ongoing efforts to bring peace in the country. They concluded by requesting the Security Council to locate the United Nations office in Somalia, arguing that it was the only way in which the Organization could help resolve their problems.

65. The members of the Security Council shared the concerns raised by the civil society representatives and noted that they had been spending an increased amount of time discussing Somalia. The Council said that it had asked the transitional federal institutions to agree on a date for the elections, failing which there would be no extension of their mandates. The mission also showed support for an increased participation of women in all stages of the peace process and expressed concern about the continued abuse of women and children by the parties to the conflict. They agreed that efforts regarding piracy needed to be better coordinated. The Special Representative of the Secretary-General stated that he had suggested that the Government should improve its outreach to the groups that were not present in Djibouti, among them civil society. Finally, he expressed the view that civil society could help bring reconciliation at the grass-roots level and that he would work in close collaboration with them to reach a solution to the crisis in Somalia.